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FOLLOW THAT STORY: "Time Thief" Vindicated

Posted by Huan Hsu

In July 2000, *City Paper* profiled **Jeff Schmidt**, who, in May of that year, was fired from his job as an editor at *Physics Today*.

The reason for Schmidt's termination after 19 years of service, his employers told him, was because he had "stolen time" at work to write a book, *Disciplined Minds: A Critical Look at Salaried Professionals and the Soul-Battering System That Shapes Their Lives*.

Never mind that just a few days before, he fulfilled his entire annual review-period work quota in 10 months—that is, he was two months ahead in his work. But after almost six years of protesting and two years of litigating, Schmidt, 59, has finally won a measure of justice. In February, he and the American Institute of Physics (AIP), the organization which publishes *Physics Today*, agreed to settle Schmidt's wrongful-termination lawsuit.

Schmidt, a Van Ness resident, readily admits that he spent some office time writing the book, in which he drew upon his personal experience to illustrate his points, many of which are highly critical of the politics, hierarchy, and subordination of modern workplaces. But Schmidt's record also shows that he completed all of his editorial duties, sometimes ahead of schedule.

The dismissal sparked howls of outrage in the physics community, in which scientists usually get fired for publishing too little. Thousands rallied to support Schmidt. Even **Noam Chomsky** got in the act, collecting signatures for a letter protesting Schmidt's firing. Schmidt's supporters contend that the AIP had been looking for a reason to get rid of Schmidt not only for *Disciplined Minds*, but also for his on-the-job agitating for workplace reform, notably the hiring of more minorities.

During the discovery process, a number of suspect and embarrassing documents surfaced, such as performance reviews that appear to have been changed retroactively. AIP agreed to Schmidt's demand that the settlement be made public, and it agreed to mandate diversity training for all employees and support an effort by the National Society of Black Physicists and the National Society of Hispanic Physicists to become nonvoting member societies of AIP.

Schmidt agreed not to disclose the monetary amount he received, but his friend **Sanjoy Mahajan**, a physics lecturer at the University of Cambridge, estimates that it was around a half-million dollars. Schmidt had sought five years of back pay and benefits, front pay in lieu of reinstatement, and compensation for pain and suffering, among other damages.

AIP also demanded that Schmidt sign a nondisparagement agreement, which the group already claims he has violated 25 times. (Schmidt could be held liable for \$20,000 in damages and fees for each violation.)

Even so, Schmidt is happy with the outcome. "I'm really amazed and surprised at the settlement," says Schmidt. "I think it's a victory for free expression and diversity in the physics community."

As the final part of the settlement agreement, Schmidt was given a positive recommendation by the AIP and reinstated to his former position. He resigned a few hours later. What did he do while he was

back on the job?

"I have to admit, I stole the time," he says. "I didn't do any work for them."

1:19 PM | | Read 1 comment |

1 Comment:

At 2:12 PM, Sanjoy Mahajan said...

The webpage for several documents mentioned in the article and for many others is here. It includes a chronology of the protests and also documents from the original *Disciplined Minds* website **deleted at the insistence of AIP**, the scholarly organization that fired Schmidt for writing a book.